

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2001-297

June 5, 2001

RSL COM USA, INC.
Request to Abandon Service

ORDER DENYING AND
GRANTING REQUEST TO
ABANDON SERVICE

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

On April 30, 2001 RSL COM PrimeCall, Inc. (PrimeCall) filed a request to abandon service pursuant to 35-A M.R.S.A. § 1104(1). In support of its request, PrimeCall stated that most of its assets (but not including its state certifications and its pre-paid calling card services) had been purchased and that it had entered bankruptcy proceedings. It stated that it intended to honor pre-paid calling services only until May 10, 2001.

The Commission granted PrimeCall authority to provide interexchange service in Docket No. 98-920.

Because there are a large number of competitive interexchange telephone utilities available to provide service in Maine, we do not find that the public interest requires the continuation of service by PrimeCall. Nevertheless, PrimeCall has provided scant notice of its actions to the Commission. As a practical matter, a carrier cannot provide notice to pre-paid calling card purchasers. However, it is not reasonable for a carrier to stop honoring pre-paid calling cards well prior to the cards' expiration date, if there are expiration dates. PrimeCall has not provided any information about expiration dates of the cards, when it ceased selling cards or what it will do to reimburse purchasers of those cards who have unused minutes, particularly if they purchased cards recently. We do not find it is appropriate to abandon service in the absence of this information from PrimeCall. PrimeCall will remain as a regulated public utility for one year so that if our Consumer Assistance Division may address any complaints it may receive about PrimeCall not honoring pre-paid calling cards. PrimeCall may request reconsideration of this ruling if it provides us with information such as that discussed above that indicates either that no customer interests are in jeopardy or that those interests are reasonably protected.

PrimeCall also provided no information about whether it was presently providing any other intrastate services in Maine or whether it had provided notice to any of its customers for those services, if any.

For the foregoing reasons, we DENY the request of RSL COM PrimeCall, Inc. to abandon service immediately; it may abandon service after one year following the issuance of this Order.

Dated at Augusta, Maine this 5th day of June, 2001.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Nugent
 Diamond

COMMISSIONER ABSENT: Welch